

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MANUEL VON RIBBECK,

Plaintiff,

v.

CHRISTINE NEGRONI,

Defendant.

Case No. 19-cv-1205

Honorable John Robert Blakey

Magistrate Judge Mary M. Rowland

**DEFENDANT CHRISTINE NEGRONI'S RULE 12(B)(2) AND 12(B)(6)
MOTION TO DISMISS AND SPECIAL MOTION TO DISMISS
PURSUANT TO CONN. GEN. STAT. § 52-196A**

Defendant Christine Negroni respectfully requests that this Court dismiss Plaintiff Manuel von Ribbeck's First Amended Complaint for lack of personal jurisdiction, or, in the alternative, that the Court dismiss Plaintiff's complaint with prejudice or grant defendant's special motion to dismiss pursuant to Conn Gen. Stat. § 52-196A. In support of this motion, Defendant states as follows:

1. Defendant does not live in or conduct business in Illinois, and she did not expressly aim her blog post at Illinois or otherwise do anything to avail herself of this forum. Accordingly, this Court does not have personal jurisdiction over Defendant.

2. Even if the Court were to determine that it has jurisdiction over Defendant, Plaintiff's claims fail for multiple, independent reasons. Plaintiff alleges that three statements in Ms. Negroni's blog post are defamatory. Each statement is susceptible to at least two well-established defenses, including the fair report privilege, the substantial truth doctrine, the innocent construction rule, and the Constitutionally based protections for opinion. Plaintiff also must plead actual malice, and he has not done so properly. Plaintiff's ancillary claim for

“interference with prospective contractual retention” is simply a re-packaging of his deficient defamation claim and must fail as well.

3. Finally, the Court will recognize that this lawsuit is a classic “SLAPP” suit. His complaint strikes at the core of the Connecticut anti-SLAPP law’s protection of free speech, and Plaintiff cannot show probable cause, considering all of Defendant’s defenses, why he would prevail on the merits.

WHEREFORE, for the reasons set forth herein and in the accompanying memorandum of law, Defendant Christine Negroni respectfully requests that this Court dismiss all of Plaintiff’s claims against her pursuant to Fed. R. Civ. P. 12(b)(2) and grant such and further relief this Court deems just and proper. Alternatively, Ms. Negroni respectfully requests that the Court dismiss all counts of the complaint against her with prejudice pursuant to Fed. R. Civ. P. 12(b)(6) and/or grant her special motion to dismiss pursuant to Conn. Gen. Stat. § 52-196a, dismissing all claims against her and awarding her the costs and reasonable attorneys’ fees she incurred in connection with the filing of the special motion to dismiss.

Dated: March 21, 2019

Respectfully submitted,

CHRISTINE NEGRONI

By: /s/ Steven P. Mandell
One of her attorneys

Steven P. Mandell (ARDC #6183729)
Brendan J. Healey (ARDC #6243091)
MANDELL MENKES LLC
1 North Franklin Street, Suite 3600
Chicago, IL 60606
(312) 251-1000
smandell@mandellmenkes.com
bhealey@mandellmenkes.com
Counsel for Defendant Christine Negroni

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that a true and correct copy of the foregoing has been served on March 21, 2019 via Court's CM/ECF system on all counsel of record who have consented to electronic service.

/s/ Steven P. Mandell